



Littler Mendelson P.C.
900 Third Avenue
New York, NY 10022-3298

Eli Z. Freedberg
212-583-2685 direct
efreedberg@littler.com

September 29, 2022

VIA ECF

Hon. John P. Cronan
United States District Court Judge
500 Pearl St.
New York, NY 10007-1312

Re: Orbetta v. Dairyland USA Corporation et al., 1:20-cv-09000-JPC

Dear Judge Cronan:

This firm represents the Defendants in the above-captioned matter. We write with the consent of Plaintiffs to request an extension of the deadline to file Defendants' Motion for Summary Judgment. In the parties' joint letter to the Court dated August 25, 2022 (ECF No. 116), we respectfully requested an extension of the deadline to file Defendants' Motion and the subsequent opposition and reply papers. The August letter states that even though discovery has closed, Defendants will further supplement their response to Plaintiffs' Post-Deposition Document Requests to avoid further discovery-related motions. (*Id.*)

On August 26, 2022, the Court granted the parties' request, and ordered Defendants to file their Motion by October 7, 2022. (ECF No. 117.) The Court also ordered that Plaintiffs' opposition be filed by November 23, 2022, and that Defendants' reply be filed by December 7, 2022. Defendants have worked in good faith to comply with the Court's order and their agreement to produce additional discovery, which they have produced to Plaintiffs. However, compiling this additional discovery required more time than expected, which has delayed Defendants' ability to prepare its Motion.

For this reason, Defendants respectfully request an extension of the deadline to file their Motion to October 28, 2022. Defendants further request that the deadline for Plaintiffs opposition be extended to December, 14, 2022, and that the deadline for Defendants reply be extended to December 28, 2022. This is the second request for an extension.

Respectfully submitted,

/s/ Eli Z. Freedberg

Eli Z. Freedberg

The request is granted. Defendants' motion for summary judgment shall be filed by October 28, 2022; Plaintiffs' opposition shall be filed by December 14, 2022; and Defendants' reply shall be filed by December 28, 2022.

SO ORDERED
Date: October 4, 2022
New York, New York



JOHN P. CRONAN
United States District Judge